

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Michael B. Shepperd
Patricia A. Shepperd**
Debtor(s)

Bankruptcy Case No.: 20-22083-GLT
Issued Per Oct. 22, 2020 Proceeding
Chapter: 13
Docket No.: 41 - 23
Concil. Conf.: October 22, 2020 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 6, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,716 as of October 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Oct. 22, 2020 at 09:00 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Carrington Mortgage Services/The Bank of New York Mellon (Claim No. 11) .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

The claim of PNC Bank (Claim No. 10) govern as to amount and interest with payment to be determined by the Trustee.

Debtors are to implement an ACH within 10 days.

Trustee will not distribute to general unsecured creditors until after the municipal bar date.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

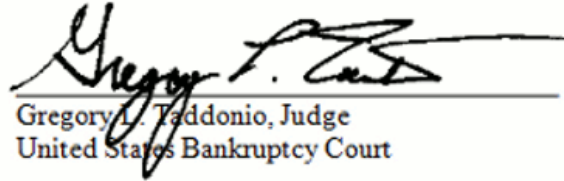
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: October 27, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Michael B. Shepperd
Patricia A. Shepperd
Debtor(s)

Case No. 20-22083-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Oct 27, 2020

User: jhel
Form ID: 149

Page 1 of 3
Total Noticed: 38

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 29, 2020:

Recip ID	Recipient Name and Address
db/jdb	+ Michael B. Shepperd, Patricia A. Shepperd, 121 Leatherbark Road, Cranberry Twp, PA 16066-4759
15264433	+ Allegheny Ophthalmic & Orbital Assoc, 420 E North Avenue, Suite 116, Pittsburgh, PA 15212-4746
15264434	+ America's Servicing Company, PO Box 10388, Des Moines, IA 50306-0388
15264435	American Education Services, Payment center, Harrisburg, PA 17130-0001
15264432	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court:, AAA Financial Services, PO Box 15019, Wilmington, DE 19886
15264437	+ Bank of America Home Loans, PO Box 31785, Tampa, FL 33631-3785
15265799	+ Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
15264440	+ Citi Cards, PO Box 9001037, Louisville, KY 40290-1037
15274469	+ ECMC, PO BOX 16408, St Paul, MN 55116-0408
15264442	+ ECMC, PO Box 16408, Saint Paul, MN 55116-0408
15264443	+ Genesis Credit, Bankcard Services, PO Box 84049, Columbus, GA 31908-4049
15264446	+ Janet Shepperd, 121 Leatherbark Road, Cranberry Twp, PA 16066-4759
15264450	+ PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747
15279656	+ PNC Bank, National Association, Bankruptcy Department, PO Box 94982, Cleveland, OH 44101-4982
15264453	+ Sears Credit Cards, PO Boc 9001055, Louisville, KY 40290-1055
15264456	+ The Surgery Center at Cranberry, 105 Brandt Drive #101, Cranberry Twp, PA 16066-6414
15264457	+ U.S. Attorneys Office, Western District of PA, 4000 U.S. Post Office & Courthouse, 700 Grant Street, Pittsburgh, PA 15219-1906
15264458	+ U.S. Bank National Association, c/o America's Servicing Company, N9286-01Y, 1000 Blue Gentian Road, Saint Paul, MN 55121-1663
15264459	+ USAA Credit Cards, 10750 McDermott Fwy, San Antonio, TX 78288-1600
15289583	+ Veripro Solutions Inc., PO Box 3572, Coppell, TX 75019-5538

TOTAL: 20

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 28 2020 02:17:36	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15264438	+ Email/PDF: gecsedl@recoverycorp.com	Oct 28 2020 01:12:17	Care Credit/SYNCB, PO Box 960061, Orlando, FL 32896-0061
15264439	+ Email/Text: BKBCNMAIL@carringtonms.com	Oct 28 2020 02:23:00	Carrington Mortgage Services LLC, 1600 South Douglass Road, Suite 200A, Anaheim, CA 92806-5951
15279680	+ Email/Text: BKBCNMAIL@carringtonms.com	Oct 28 2020 02:23:00	Carrington Mortgage Services, LLC, 1600 South Douglass Road, Anaheim, CA 92806-5951
15264441	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Oct 28 2020 02:24:00	Comenity - New York & Co, PO Box 659728, San Antonio, TX 78265-9728
15264445	Email/Text: sbse.cio.bnc.mail@irs.gov	Oct 28 2020 02:24:00	IRS, PO Box 7346, Philadelphia, PA 19101-7346
15265874	Email/PDF: resurgentbknofications@resurgent.com	Oct 28 2020 02:17:42	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15264447	+ Email/PDF: resurgentbknofications@resurgent.com		

District/off: 0315-2

User: jhel

Page 2 of 3

Date Rcvd: Oct 27, 2020

Form ID: 149

Total Noticed: 38

		Oct 28 2020 02:19:00	LVNV Funding, LLC, c/o Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15264448	+ Email/Text: bankruptcydpt@mcmcg.com	Oct 28 2020 02:25:00	Midland Funding LLC, PO Box 2011, Warren, MI 48090-2011
15265941	+ Email/Text: ext_ebn_inbox@navyfederal.org	Oct 28 2020 02:28:26	NAVY FEDERAL CREDIT UNION, P O BOX 3000, MERRIFIELD, VA 22119-3000
15264449	+ Email/Text: ext_ebn_inbox@navyfederal.org	Oct 28 2020 02:28:30	Navy Federal Credit Union, PO Box 3500, Merrifield, VA 22119-3500
15264451	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 28 2020 02:18:54	Portfolio Recovery Associates, 120 Corporate Blvd, Suite 100, Norfolk, VA 23502
15287231	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 28 2020 02:18:53	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15264452	+ Email/Text: bnc-quantum@quantum3group.com	Oct 28 2020 02:25:00	Quantum3 Group LLC, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
15264454	+ Email/PDF: gecsed@recoverycorp.com	Oct 28 2020 01:14:01	Synchrony Bank, PO Box 960061, Orlando, FL 32896-0061
15264710	+ Email/PDF: gecsed@recoverycorp.com	Oct 28 2020 01:12:17	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15264455	+ Email/PDF: gecsed@recoverycorp.com	Oct 28 2020 01:14:01	Synchrony Bank/Levin, PO Box 960061, Orlando, FL 32896-0061
15286333	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Oct 28 2020 02:20:26	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 18

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		THE BANK OF NEW YORK MELLON, F/K/A The Bank of New
15264436	*P++	BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238, address filed with court:, Bank of America, PO Box 15019, Wilmington, DE 19886
15264444	*+	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
15274485	*+	U.S. Attorneys Office, Western District of PA, 4000 U.S. Post Office & Courthouse, 700 Grant Street, Pittsburgh, PA 15219-1906
jdb	*+	Patricia A. Shepperd, 121 Leatherbark Road, Cranberry Twp, PA 16066-4759

TOTAL: 1 Undeliverable, 4 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 29, 2020

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: jhel

Page 3 of 3

Date Rcvd: Oct 27, 2020

Form ID: 149

Total Noticed: 38

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 27, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor THE BANK OF NEW YORK MELLON F/K/A The Bank of New York as trustee for registered Holders of CWABS, Inc., Asset-Backed Certificates, Series 2007-BC3 bnicholas@kmlawgroup.com
Brian C. Thompson	on behalf of Debtor Michael B. Shepperd bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@thompsonattorney.com;jcastello@thompsonattorney.com;kbelko@thompsonattorney.com
Brian C. Thompson	on behalf of Joint Debtor Patricia A. Shepperd bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@thompsonattorney.com;jcastello@thompsonattorney.com;kbelko@thompsonattorney.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 5